

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Michael Kuty

Serial No.: 10/840,103

Filed: May 6, 2004

Title: Wireless Telephone Configured For Prepaid Use



: By the Examiner: N/A

: Group Art Unit: 2681

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(A)

Date of Mailing: September 20, 2004

I hereby certify that this correspondence is on the date shown above being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Type or Print Name Martha Rocha

Signature

Dear Sir:

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified application for patent are the following documents:

1. Response To Notice To File Missing Parts Of Nonprovisional Application;
2. Part 2-Copy of Notice To File Missing Parts Of Nonprovisional Application;
3. Original fully executed Declaration and Power of Attorney;
4. Information Disclosure Statement (Substitute for form 1449/PTO) and References; and
5. Confirmation postcard.

A fee is due. The Commissioner is hereby authorized to charge the total fees associated with this communication or credit any overpayment to Simon, Galasso & Frantz Deposit Account No. 50-1259 under Reference No. 1723.040007.

Respectfully submitted,
Michael Kuty

By:

Raymond M. Galasso
Reg. No. 37,832

SIMON, GALASSO & FRANTZ PLC
P.O. Box 26503
AUSTIN, TEXAS 78755-0503
TELEPHONE: (512) 372-8240
FACSIMILE: (512) 372-8247

1723.040007

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Alexandria, VA 22313-1450

Type or Print Name Martha Rocha

Signature

Dear Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

This letter is submitted in response to the Notice To File Missing Parts of Nonprovisional Application dated July 19, 2004. Applicant responds by filing a properly signed, Declaration and Power of Attorney which identifies the application by the application number and filing date.

Applicant responds by paying the missing fees of \$450.00. This amount represents the statutory basic filing fee (\$385) and the late oath or declaration surcharge (\$65) identified in the Notice To File Missing Parts of Nonprovisional Application.

The Commissioner is hereby authorized to charge payment to Simon, Galasso & Frantz Deposit Account No. 50-1259 under Reference No. 1723.040007.

Respectfully submitted,
Michael Kuty

By:

Raymond M. Galasso
Reg. No. 37,832

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UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/840,103	05/06/2004	Michael Kuty	1723.040007

SIMON, GALASSO & FRANTZ PLC.
 P.O. Box 26503
 Austin, TX 78755-0503



CONFIRMATION NO. 7284
FORMALITIES LETTER

 OC000000013269462

Date Mailed: 07/19/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

JKSANTOR
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE